

PATENT

App. Ser. No.: 10/664,545

Atty. Dkt. No. ROC920030253US1

PS Ref. No.: IBMK30253

REMARKS

This is intended as a full and complete response to the Final Office Action dated April 7, 2006, having a shortened statutory period for response set to expire on July 7, 2006. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-35, 37 and 38 are pending in the application. Claims 1-35, 37 and 38 remain pending following entry of this response. Claims 17-32, 35, 37 and 38 have been amended to recite "computer readable storage medium" in response to recent policy changes at the PTO regarding statutory subject matter concerns of claims that potentially recite wireless transmissions. Applicants make these amendments preemptively in the hope that further delays to issuance will not be incurred. The Examiner is respectfully requested to enter the amendments or contact the attorney signing below to discuss reasons for not entering the amendment.

Double Patenting

Claims 1-35 and 37-38 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-35 of copending Application No. 10/459,733.

Also, claims 1-35 and 37-38 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-27 of copending Application No. 10/422,884.

The present application (Serial No. 10/664,545; hereinafter the "Application") and copending Applications No. 10/422,884 and No. 10/459,733, were, at the time the invention of the Application was made, owned by the same entity, or subject to an obligation of assignment to the same entity and are currently owned by the same entity.

A Terminal Disclaimer is filed concurrently with this response. Applicants believe the provisional double patenting rejections are believed to be overcome and respectfully request allowance of the claims.

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Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Gero McClellan, attorney of record, at (336) 643-3065, to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted,



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